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#3 PCT #2

PATENT
3631-109P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: STEINNA, Lucilla et al. Conf.: unassigned
Appl. No.: 09/806,703 Group: unassigned
Filed: April 4, 2001 Examiner: UNASSIGNED
For: NOVEL METHODS FOR THERAPEUTIC
VACCINATION

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

April 26, 2001

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☒ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Leonard R. Svensson, #30,330

LRS/clh
3631-109P

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Falls Church, VA 22040-0747
(703) 205-8000

Enclosures: ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☐ Fee
☐ Other:

(Rev. 03/08/01)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

April 26, 2007
BIRCH, STEWART, KOLASCH & BIRCH, LLP.


Christy Hennigan

4-26-07
Date

Form PTO-1449

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GROUP	unassigned
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

	YANG, Xiao-Dong et al.; "Eradication of.." Cancer Research 59 1236-1243, 3-15-99
	KASS, Erik et al.; "Induction of.." Cancer Research 59, 676-683, 2-1-99
	VONDERHEIDE, Robert H. et al; The Tolerance.."Immunity Vol. 10, 673-679 June 1999
	KIKUCHI, Megumi et al.; "Indentification of a .."Int. J. Cancer: 81.459-466 1999
	MARCHAND, Marie et al.; "Tumor Regressions.."Int. J. Cancer: 80. 219-230 1999
	SANDMAIER, Brenda et al.; "Evidence of.."Journal of Immunotherapy 22(1):54-66 1999

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DATE CONSIDERED

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		DALUM, Iben et al.;"Therapeutic .."Nature Biotech. Vol 17, July 1999
		"Graft tolerance.." Nature Medicine Vol 5, No.6 June 1999
		WANG,Rong-Fu et al.;"Cloning Genes.." Science Vol 284, May 21, 1999
		SANDA, Martin G. et al.; "Recombinant Vaccina.." Urology 53 (2) 1999
		KIRKIN, Alexei F. et al.;"Melanoma-associated.." Armis 106:663-679, 1993
		KLOTZ,Theo et al.;"Selective Expression.."Cancer 5-15-1998 Vol.82,No.10

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	DIVIGI, Chaitanya R. et al.; "Phase I/II.." Clinical Cancer Research Vol. 4, 2729-2739 November 1998
	OSSENDORP, Ferry et al.; "Specific T Helper.." J. Exp. Med. Vol 187, No.5, 3-2-1998 pp.693-702
	JAGER, Elke et al.; "Simultaneous Humoral.." J. Exp. Med. Vol. 187, No.2, 1-19-1998 pp.265-270
	MACKEY, Matthew et al.; "Cutting Edge.." Journal of Immunology pp 2094-2098
	SOUTHWOOD, Scott et al.; "Several Common.." Journal of Immunology pp.3363-3373
	SCHOENBERGER, Stephen et al.; "T-cell help.." Nature Vol. 393, June 4, 1998

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	BENNETT, Sally R.M. et al.;"Help for.."Nature Vol.393, June 4, 1998
	RIDGE,John P. et al.;"A conditined.."Nature Vol.393, June 4, 1998
	LANZAVECCHIA,Antonio;"License to Kill"Nature Vol 393, June 4, 1998
	WAGNER,Stephen N. et al.;"Analysis of.."Cancer Immunol. Immunother (1997)44: 239-247
	JARVIS,Gary A. et al;"Expression and function.."Int.J.Cancer: 71. 1049-1055 1997
	KNOX,Susan J, et al.;"Yttrium-90-labeled.."Clinical Cancer Research vol. 2, pp457-470 Mrch 1996

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	LAPTHORN,A.J. et al.;"Crystal structure.."
	TALWAR,G.P. et al.;"A vaccine.."Proc. Natl. Acad. Sci. Vol 91,pp. 8532-8536 August 1994
	MORADI,Mark M. et al.;"Serum and.."Cancer 10-13-93 Vol.72,No.8
	GRONDAHAL-HANSEN,Jan et al.;"High levels.." Cancer Research 54,2513-2521,6-1-93
	ISRAELI,Ron S. et al.;"Molecular cloning.."Cancer Research 33,227-230, 1-13-93
	HAMMER,Juergen et al.;"Promiscuous and.." Cell, Vol. 74,197-203 7-16-93

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